IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO.3328 OF 2004

IN

SUIT NO.3272 OF 2004

...

Padmakar B. Samant & ors. ...Plaintiffs

v/s.

John Paules Aluvanthigal ...Defendant

...

Mr.M.K. Nesari for the Plaintiffs.

None for the Defendant.

...

CORAM: D.K.DESHMUKH, J.

DATED: 29TH SEPTEMBER,2005

P.C.:

In view of pendency of the appeal filed by the Plaintiffs against the order dated 21st September, 2004 passed by the Small Causes Court in R.A.D. Suit No.403 of 2003, it will not be appropriate to pass any interim order in this Notice of Motion, because property that is subject matter of the interim order in the suit before the Small Causes Court and the present suit is the same. Passing of any interim order in this Notice of Motion may leave to two courts of competent jurisdiction passing the contrdicorty orders on the same subject matter. Notice of Motion is disposed of.

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